



AS
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lorraine B. Peddada, et al.
Application No. : 09/081,926
Filed : May 20, 1998
Title : EFFICIENT ALGORITHM FOR PCR TESTING OF BLOOD SAMPLES

Grp./Div. : 1653
Examiner : TUNG, J.

Docket No. : 32638/JWE/A97

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL
IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS
AND TRADEMARKS, WASHINGTON, D.C. 20231, on
July 13, 1999
(DATE SIGNED)

**TERMINAL DISCLAIMER TO OBLIGATE A
DOUBLE PATENTING REJECTION**

Assistant Commissioner for Patents
Washington, D.C. 20231

P. O. Box 7068
Pasadena, CA 91109-7068
July 13, 1999

Commissioner:

I hereby certify that I am the attorney of record in this application and am authorized to execute this disclaimer on behalf of the assignee; and I further certify that the evidentiary documents have been reviewed and that assignee, to the best of my knowledge and belief, has title to the above-identified application and patent.

Alpha Therapeutic Corporation, a California corporation having a place of business at 5555 Valley Boulevard, Los Angeles, California, represents: (a) that it is the assignee of the entire interest in U.S. patent Application No. 09/081,926, filed May 20, 1998, and entitled METHOD FOR PCR TESTING OF POOLED BLOOD SAMPLES, by virtue of the assignment recorded in the United States Patent and Trademark Office with respect to the parent application at reel 8386, frame 0468; and (b) that it is the assignee of the entire interest in parent U.S. Patent No. 5,780,222, by virtue of the same assignment recorded at reel 8386, frame 0468.

Alpha Therapeutic Corporation hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 5,780,222, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title thereto shall be the same

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Application No. 09/081,926

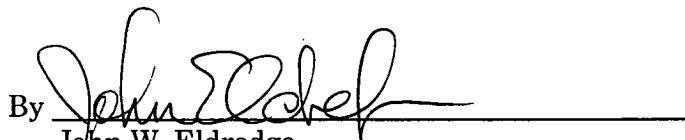
as the legal title to U.S. Patent No. 5,780,222, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Alpha Therapeutic does not disclaim any terminal part of any claims of any patent that may be granted on the above-identified application that would extend to the full statutory term of U.S. Patent No. 5,780,222 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and further that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 
John W. Eldredge
Reg. No. 37,613

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